

BEST AVAILABLE COPY

JPW

Attorney Docket No. 25321Y2Y

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Jonathan EPPSTEIN

Serial No.: 10/772,472

Group Art Unit: 3762

Filed: February 6, 2004

Title: **MICROPORATION OF TISSUE FOR DELIVERY OF BIOACTIVE AGENTS**

TRANSMITTAL LETTER

Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

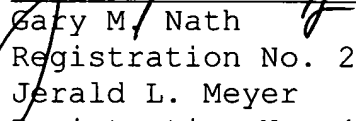
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter;
- (2) Certificate under 37 C.F.R. §3.73 (b);
- (3) Revocation and Power of Attorney;
- (4) Schedule of Patent Applications.

Respectfully submitted,
NATH & ASSOCIATES PLLC

By:


Gary M. Nath
Registration No. 26,965
Jerald L. Meyer
Registration No. 41,194
Customer No. 20529

Date: August 25, 2004
NATH & ASSOCIATES, PLLC
1030 15th Street N.W., 6th Floor
Washington, D.C. 20005
Tel. (202) 775-8383
Fax (202) 775-8396

GMN/JLM/jnr:revocation.poa.TRANS



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REVOCATION AND POWER OF ATTORNEY/
CHANGE OF CORRESPONDENCE ADDRESS

Honorable Commissioner of
Patents and Trademarks
Alexandria, VA 22313-1450

Sir:

I hereby revoke all previous powers of attorney in the applications as referenced in the attached Schedule, and all continuations, divisionals and continuations-in-part thereof, and appoint the attorneys associated with the following customer number(s) to prosecute these applications and all continuations, divisionals and continuations-in-part thereof, receive and act on instructions from my agent, and transact all business in the Patent and Trademark Office connected therewith:

23859

Please direct all telephone calls to: Kean DeCarlo at telephone number (678) 420-9350; please address all correspondence to NEEDLE & ROSENBERG, Suite 1000, 999 Peachtree Street, Atlanta, GA 30309-3915.

By 

Title CTO

Date 8-23-04

ALTEA THERAPEUTICS CORPORATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE UNDER 37 C.F.R. § 3.73 (b)

ALTEA THERAPEUTICS CORPORATION

(Name of Assignee)

Corporation

(Type of Assignee, e.g.
corporation etc.)

certifies that it is the assignee of the entire right, title and interest in the patent applications identified in the attached Schedule by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application identified on the attached Schedule, to the current assignee as shown on the attached Schedule:

OR

- B. ☒ A chain of title from the inventor(s) of the patent application identified on the attached Schedule, to the current assignee as on the attached Schedule:

[] Additional documents in the chain of title are listed on a supplement sheet.

[] Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent applications identified on the attached Schedule and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

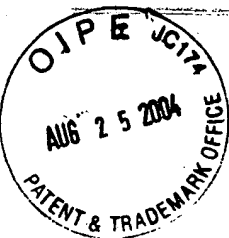
I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001. Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 8-23-04

Name: Jonathan Epstein

Title: CTO

Signature: [Signature]



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
SCHEDULE OF PATENT APPLICATIONS

Application Serial
No.

08/152,174
(P.N. 5,445,611)

Filing Date

12/08/93

Assignment: Inventor(s) to
Altea Therapeutics Corporation.
Jonathan A. EPPSTEIN and Deborah A.
EPPSTEIN to Tempus Medical, Inc. Reel
6839, Frame 0685, Date 12/08/1993.
Tempus Medical, Inc. to Non-Invasive
Monitoring Co. (NIMCO) Reel 7523,
Frame 0835, Date 06/12/1995. Non-
Invasive Monitoring Co. (NIMCO) to
Altea Technologies, Inc. Reel 7919,
Frame 0910, Date 05/03/1996. Altea
Technologies, Inc. to Altea
Development Corp. Reel 013280, Frame
0273, Date 12/04/2002. Change of
Name: Altea Development Corp. to Altea
Therapeutics Corporation Reel 013280,
Frame 0480, Date 12/04/2002.

09/331,124
(P.N. 6,527,716)

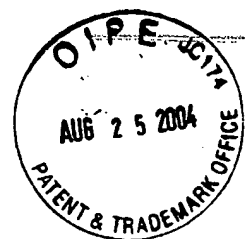
08/12/99

Jonathan A. EPPSTEIN to
Altea Technologies, Inc. Reel 010265,
Frame 0556, Date 9/27/1999. Altea
Technologies, Inc. to Altea
Development Corp. Reel 013280, Frame
0273, Date 12/04/2002. Corrective
Assignment: Altea Technologies, Inc.
to Altea Development Corp. Reel
013362, Frame 0188, Date 01/14/2003.
Change of Name: Altea Development
Corp. to Altea Therapeutics
Corporation Reel 013280, Frame 0480,
Date 12/04/2002.

09/590,787
(P.N. 6,692,456)

06/08/00

Jonathan A. EPPSTEIN and Michael R.
HATCH and Joseph PAPP to Altea
Technologies, Inc. Reel 011389, Frame
0258, Date 01/02/2001. Altea
Technologies, Inc. to Altea
Development Corp. Reel 013280, Frame
0273, Date 12/04/2002. Corrective
Assignment: Altea Technologies, Inc.
to Altea Development Corp. Reel
013362, Frame 0188, Date 01/14/2003.
Change of Name: Altea Development
Corp. to Altea Therapeutics
Corporation Reel 013280, Frame 0480,
Date 12/04/2002.



09/353,130
(P.N. 6,352,506)

07/14/99

Jonathan A. EPPSTEIN and Michael R. HATCH and Joseph PAPP and Mark L. FAUPEL and Krishna KUMAR to SpectRx, Inc. and Altea Technologies, Inc. SpectRx, Inc. to Altea Technologies, Inc. Reel 011752, Frame 0019, Date 04/26/2001. Altea Technologies, Inc. to Altea Development Corp. Reel 013280, Frame 0273, Date 12/04/2002. Corrective Assignment: Altea Technologies, Inc. to Altea Development Corp. Reel 013362, Frame 0188, Date 01/14/2003. Change of Name: Altea Development Corp. to Altea Therapeutics Corporation Reel 013280, Frame 0480, Date 12/04/2002.

10/272,292
(Continuation
of 09/331,124)

10/17/02

Jonathan A. EPPSTEIN to Altea Technologies, Inc. Reel 010265, Frame 0556, Date 9/27/1999. Altea Technologies, Inc. to Altea Development Corp. Reel 013280, Frame 0273, Date 12/04/2002. Corrective Assignment: Altea Technologies, Inc. to Altea Development Corp. Reel 013362, Frame 0188, Date 01/14/2003. Change of Name: Altea Development Corp. to Altea Therapeutics Corporation Reel 013898, Frame 0205, Date 03/28/2003.

10/284,408
(Continuation
of 09/331,124)

10/31/02

Jonathan A. EPPSTEIN to Altea Technologies, Inc. Reel 010265, Frame 0556, Date 9/27/1999. Altea Technologies, Inc. to Altea Development Corp. Reel 013280, Frame 0273, Date 12/04/2002. Corrective Assignment: Altea Technologies, Inc. to Altea Development Corp. Reel 013362, Frame 0188, Date 01/14/2003. Change of Name: Altea Development Corp. to Altea Therapeutics Corporation Reel 013898, Frame 0197, Date 03/28/2003.

10/772,472 (Continuation of 10/284,408, which is a continuation of 09/331,124)	02/06/04	Jonathan A. EPPSTEIN to Altea Technologies, Inc. Reel 010265, Frame 0556, Date 9/27/1999. Altea Technologies, Inc. to Altea Development Corp. Reel 013280, Frame 0273, Date 12/04/2002. Corrective Assignment: Altea Technologies, Inc. to Altea Development Corp. Reel 013362, Frame 0188, Date 01/14/2003. Change of Name: attached.
10/040,066 (Continuation of 09/353,130)	10/29/01	Jonathan A. EPPSTEIN and Michael R. HATCH and Joseph PAPP and Mark L. FAUPEL and Krishna KUMAR to SpectRx, Inc. and Altea Technologies, Inc. SpectRx, Inc. to Altea Technologies, Inc. Reel 011752, Frame 0019, Date 04/26/2001. Altea Technologies, Inc. to Altea Development Corp. Reel 013280, Frame 0273, Date 12/04/2002. Name Change: Altea Development Corp. to Altea Therapeutics Corporation Reel 013295, Frame 0519, Date 12/10/2002.
10/384,763	03/11/03	Jonathan A. EPPSTEIN and Stuart MCRAE to Altea Therapeutics Corp. Reel 014246, Frame 0421, Date 07/07/2003.
10/384,779	03/11/03	Jonathan A. EPPSTEIN and Stuart MCRAE and Alan SMITH to Altea Therapeutics Corp. Reel 014246, Frame 0564, Date 07/07/2003.
10/384,795	03/11/03	Jonathan A. EPPSTEIN and Stuart MCRAE and Joseph PAPP to Altea Therapeutics Corp. Reel 014246, Frame 0551, Date 07/07/2003.
10/691,968	10/24/03	Alan SMITH and Jonathan A. EPPSTEIN and Bernadette MESSIER and Zoran NOVAKOVIC and Stuart MCRAE to Altea Therapeutics Corp. Reel 014966, Frame 0010, Date 02/10/2004.

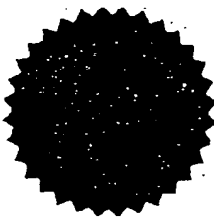
Delaware

PAGE 1

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "ALTEA DEVELOPMENT CORP.", CHANGING ITS NAME FROM "ALTEA DEVELOPMENT CORP." TO "ALTEA THERAPEUTICS CORPORATION", FILED IN THIS OFFICE ON THE TWENTIETH DAY OF NOVEMBER, A.D. 2002, AT 1:55 O'CLOCK P.M.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.



Harriet Smith Windsor
Harriet Smith Windsor, Secretary of State

3582873 8100

020715603

AUTHENTICATION: 2101183

DATE: 11-20-02

STATE OF DELAWARE
SECRETARY OF STATE
DIVISION OF CORPORATIONS
FILED 01:55 PM 11/20/2002
020715603 - 3582873

CERTIFICATE OF AMENDMENT
OF THE
AMENDED AND RESTATED
CERTIFICATE OF INCORPORATION
OF
ALTEA DEVELOPMENT CORP.

Under Section 242 of the Delaware Corporation Law

Pursuant to Section 242 of the Delaware Corporation Law of the State of Delaware, the undersigned, being the Secretary of Altea Development Corp., a Delaware corporation (the "Corporation") does hereby certify the following:

FIRST: The name of the Corporation is: Altea Development Corp.

SECOND: The Amended and Restated Certificate of Incorporation of the Corporation was filed with the Secretary of State of Delaware on November 8, 2002.

THIRD: The Amended and Restated Certificate of Incorporation of the Corporation is hereby amended to effect a change in Article One thereof, relating to the name of the Corporation, accordingly Article One of the Certificate of Incorporation shall be amended to read in its entirety as follows:

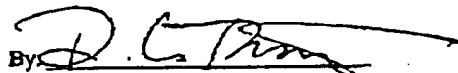
"ARTICLE ONE

The name of the corporation is Altea Therapeutics Corporation (hereinafter called the "Corporation")."

FOURTH: The amendment to the Amended and Restated Certificate of Incorporation of the Corporation effected hereby was approved by the Board of Directors of the Corporation and by written consent of the majority stockholders of the Corporation.

IN WITNESS WHEREOF, the undersigned affirms as true the foregoing under penalties of perjury, and has executed this Certificate this 20th day of November 2002.

ALTEA DEVELOPMENT CORP.

By 

Name: Donald Traut
Title: Secretary

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☒ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.